

COMMONWEALTH OF MASSACHUSETTS
PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

NOTICE OF PROCEEDING AND HEARING)

In the matter of the actions of the individuals listed)

below in connection with the renovation of the)

building located at 25 Linnell Circle in Billerica,)

Massachusetts)

John H. Burke, Sr.)

Brian P. Curtin)

Lawrence P. Driscoll)

James E. Fahey, Jr.)

Thomas F. Gibson)

James M. Gookin)

Wayne MacDonald)

Notice is hereby given that at 10:00 am on October 3, 2006, in the offices of the Public Employee Retirement Administration Commission, 5 Middlesex Avenue, 3rd Floor, Somerville, MA 02145, a proceeding pursuant to 840 CMR 1.03 will be conducted to determine whether any individual listed above violated G.L. c. 7, § 50, G.L. c. 32, §§ 20 and 23, and 840 CMR 1.01 by breaching his fiduciary duty to the Middlesex Retirement System and is, therefore, ineligible to serve:

As a member, administrator, fiduciary, officer, trustee, custodian, counsel, agent, employee or representative in any capacity of a board.

As a consultant, manager or provider of goods or services to a board.

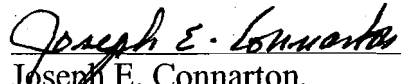
In any capacity that involves decision making authority or custody or control of the monies, funds, assets or property of any system.

The purpose of the proceeding on October 3, 2006 will be to address preliminary matters and to establish a schedule for the hearing set to begin on November 15, 2006. If any persons participating in the hearing are represented by counsel, they must be prepared to identify the attorney or attorneys that will represent them. Because the interests of the individuals listed above may not be consistent with those of the Middlesex Retirement System, any attorney or attorneys representing the interests of the members and beneficiaries of the Middlesex Retirement System should be identified at the proceeding on October 3, 2006.

The hearing that will begin on November 15, 2006 will be governed by the provisions of G.L. c. 30A and 801 CMR 1.02, the Informal / Fair Hearing Rules. The Honorable Patrick J. King (Ret.) will act as Hearing Officer in this matter and make detailed findings of fact. The issues involved in this hearing will be those outlined in the report dated April 25, 2006 from the Inspector General of the Commonwealth to PERAC's Executive Director, a copy of which is attached and incorporated herein by reference.

The hearing will be open to the public, and notices will be posted as required by G.L. c. 30A, § 11½. The hearing will be recorded either stenographically or by Electronic Medium.

Dated this 14th day of September



Joseph E. Connarton,
Executive Director
Public Employee Retirement
Administration Commission